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September 27, 2006

SENT BY FAX TO  
617-521-1231

Roberto M. Braceras, Esquire  
Goodwin Procter, LLP  
Exchange Place  
Boston, MA 02109

Re: **United States of America, ex rel., and William L. Fry**  
**v. First Investment, et al., Civil Action No. 04-316E**  
(ECF No. 1:04-cv-00316)

Dear Attorney Braceras:

Upon review of the Docket in the above titled case in the context of your letter of September 20, 2006, acknowledging our agreement for an extension of time to file a response on behalf of Everhome, it appears that neither a notice of appearance nor a motion for an extension of time has been filed with the District Court.

Even though we agreed to an extension, we do not have the authority to grant said extension. Per Docket entry 23 below, today is the due date for Everhome's answer.

08/25/2006	23	WAIVER OF SERVICE Returned Executed by UNITED STATES, WILLIAM L. FRY. EVERHOME MORTGAGE COMPANY waiver sent on 7/29/2006, answer due 9/27/2006. (sdp) (Entered: 08/25/2006)
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We suggest that a notice of appearance and an unopposed motion be filed immediately with the District Court requesting said extension and that the extension be for 30 days to October 26, 2006.

This letter may be used as an exhibit and serve as our agreement to said extension.

Sincerely,



Malcolm L. Pollard, Esquire

